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**VIRTUAL AUCTION DATE: JULY 31, 2020 AT 1:00 P.M.**

**UNITED STATES BANKRUPTCY COURT  
 EASTERN DISTRICT OF NEW YORK**

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 In re:

Chapter 11

41-23 HAIGHT STREET REALTY INC.,

Case No.: 19-43441 (NHL)

Debtor.

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**NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST  
 OF VIRTUAL PUBLIC AUCTION SALE OF THE DEBTOR'S REAL PROPERTY**

**PLEASE TAKE NOTICE** that, on June 4, 2019 ("Petition Date"), an involuntary petition pursuant to Chapter 11 of Title 11 of the United States Code ("Bankruptcy Code") was filed in the United States Bankruptcy Court for the Eastern District of New York ("Bankruptcy Court") against the 41-23 Haight Street Realty Inc. (the "Debtor") by petitioning creditors, Wen Mei Wang, Xian Kang Zhang, Yu Qing Wang, Matthew Krepil, T.8.J. LLC and LDWS LLC.

**PLEASE TAKE FURTHER NOTICE** that, on August 12, 2019, the Bankruptcy Court entered an Order Granting Motion for Appointment of Chapter 11 Trustee. By Notice of Appointment dated August 12, 2019, Gregory Messer was appointed solely in his capacity as Chapter 11 Trustee ("Trustee") of the Debtor's estate. By Order dated August 12, 2019, the Bankruptcy Court approved the appointment of Gregory Messer as Chapter 11 Trustee of the Debtor's estate.

**PLEASE TAKE FURTHER NOTICE** that, by Order entered on December 12, 2019, the Bankruptcy Court approved the retention of Maltz Auctions, Inc. d/b/a Maltz Auctions and Rosewood Realty Group as co-real estate brokers ("Co-Brokers") to sell the Debtor's Real Property (defined herein).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to an Order entered on March 30, 2020 ("Sale Procedure Order") [Dkt. No. 126], the Bankruptcy Court authorized the Trustee to conduct a virtual public sale ("Sale") of the Debtor's real property located in Queens, New York and known as:

<b>Offering ID</b>	<b>Block &amp; Lots</b>
<b>A</b>	Block 5063, Lot: 44
<b>B</b>	Block: 5063, Lots: 45, 46, 47, 48, 49, 50, 51, 52, 53 & 55
<b>C</b>	Bulk Sale of Offering A & Offering B

(“Offering A”, “Offering B” and “Offering C”, and collectively “Real Property”).

**PLEASE TAKE FURTHER NOTICE** that the virtual Sale will be held on **Friday, July 31, 2020 at 1:00 p.m., prevailing Eastern time** (“Sale Date”). **All bids must be submitted via online and/or telephonic** (but the Trustee reserves the right to accept in person bidding) and directions on how to submit an online and/or telephonic bid can be found on Co-Broker’s websites: [www.MaltzAuction.com](http://www.MaltzAuction.com) and [www.rosewoodrealtygroup.com](http://www.rosewoodrealtygroup.com).

**PLEASE TAKE FURTHER NOTICE** that on the Sale Date, prior to being able to participate in the virtual Sale, each bidder must submit executed copies of the Terms and Conditions of Sale (“Sale Terms”), must deliver to the Co-Brokers an official cashier’s check made payable to “Gregory Messer, Chapter 11 Trustee” in an amount of: (a) \$500,000 to bid on Offering A; (b) \$1,500,000 to bid on Offering B; or (c) \$2,000,000 to bid on Offering C (each, “Qualifying Deposit”), which shall serve as a partial good faith deposit against payment of the purchase price by such competing bidder as the Trustee determines to have made the highest or best bid for the Real Property (the “Successful Purchaser”). At the Sale, the Real Property shall be auctioned for sale by each individual Offering with the bidding remaining open until there are no higher bids tendered on any Real Property and/or Offering. Upon the conclusion of bidding, the Trustee, in his sole discretion, shall identify the Successful Purchaser(s) and “Second Highest Bidder”(s).

**PLEASE TAKE FURTHER NOTICE** that at, or prior to the Sale, with the submission of its bid(s), all Bidders shall disclose: (i) in a sworn declaration if they are a statutory insider as defined under Bankruptcy Code § 101(31) or have any relation to the Debtor, Wing Fung Chau a/k/a Andy Chau, Bo Jin Zhu (shareholder of Debtor), Hok Kwai Chau (a statutory insider of Debtor), Chun Yin Chen (a statutory insider of Debtor); and (ii) written evidence of its/their ability to close on the sale of the Real Property, that will allow the Trustee, and after consultation with the Senior Lienholder, to make a reasonable determination as to the Bidder’s financial capabilities to close on the Sale of the Real Property

**PLEASE TAKE FURTHER NOTICE** that the Successful Purchaser and the competing Bidder who Trustee determines to have made the second highest or best bid for the Real Property (“Second Highest Bidder”) must execute a Memorandum of Sale and thereby agree to be bound by the Sale Terms.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to an Order of the Bankruptcy Court, each Successful Purchaser and the Second Highest Bidder, in the event of a Successful Purchaser’s Default (as defined in the Terms and Conditions of Sale), are solely responsible to pay the Co-Brokers four (4%) percent of the high bid at the Sale (“Buyer’s Premium”). The sum of the high bid at the Sale and the Buyer’s Premium is defined herein as “Purchase Price”.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Bankruptcy Code §§ 363(b) and (f), Bankruptcy Rule 6004, Local Bankruptcy Rule 6004-1 and the Sale Procedure Order, the Real Property will be sold free and clear of all liens, claims and encumbrances, with such liens, claims and encumbrances to attach to the net proceeds of sale payable to the Debtor’s estate pursuant to the Sale Procedure Order.

**PLEASE TAKE FURTHER NOTICE** that the Real Property is being sold “as is”, “where is”, without any representations of any kind or nature whatsoever, including as to

merchantability or fitness for a particular purpose, and without warranty or agreement as to the condition of such Real Property.

**PLEASE TAKE FURTHER NOTICE** that requests for information about the Real Property, including a copy of the Terms and Conditions of Sale, can be obtained by contacting counsel to the Trustee, LaMonica Herbst & Maniscalco, LLP, Jacquelyn S. Loftin, Esq., at [jsl@lhmlawfirm.com](mailto:jsl@lhmlawfirm.com) or 516.826.6500, Maltz Auctions at 516.349.7022 or Rosewood Realty Group at 212.359.9900.

Dated: July [REDACTED], 2020

**MALTZ AUCTIONS, INC.**

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